

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Theodore R. Kornreich Revocable Trust et
al.,

NO. C 06-03345 JW

Plaintiffs,

**ORDER DENYING MOTION TO RELATE
CASES**

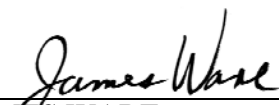
v.

Edward W. Barnholt et al.,

Defendants.

Presently before the Court is Defendant KLA-Tencor Corp.'s ("KLA") Administrative Motion to Consider Whether Cases Should be Related, filed on August 15, 2006. KLA moves this Court to consider whether Garber v. KLA-Tencor Corp. et al., No. C 06-04065 MJJ (the "Garber action"), and Police and Fire Retirement System of the City of Detroit et al. v. KLA-Tencor Corp. et al., No. C 06-04709 MHP (the "PFRS action"), are related to the above-entitled action and all actions which have previously been related to the above-entitled action. One of the Plaintiffs filed an opposition to KLA's motion, arguing that the Garber and PFRS actions are significantly different from the previously related shareholder derivative actions because they are styled as securities class action suits. Having considered the parties' submissions, the Court finds that the claims and issues in the securities class action suits are not substantially similar to those present in the derivative actions. Accordingly, the Court DENIES KLA's Motion.

Dated: August 28, 2006


JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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11 **Dated: August 28, 2006**

Richard W. Wieking, Clerk

12 **By: /s/ JW Chambers**
13 **Courtroom Deputy**